

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:04CR105-MU

UNITED STATES, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
VICTOR A. RITA, )  
 )  
Defendant. )  
\_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court upon the Defendant's Motion to Reconsider.

On July 11, 2005, Defendant filed an application to file a notice of appeal in forma pauperis. On August 9, 2005, this Court denied Defendant's application. Defendant has now filed a Motion to Reconsider providing the Court with additional information. Based upon this information the Court will grant Defendant's Motion to Reconsider.

**IT IS, THEREFORE, ORDERED that:**

1. Defendant's Motion to Reconsider is **GRANTED**;
2. The Court's August 9, 2005, Order is vacated; and
3. Defendant's application to file a notice of appeal in forma pauperis is **GRANTED**.

**Signed: August 25, 2005**

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
Chief United States District Judge

